

## UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia

**SEALED**

United States of America

v.

CURTIS LYNN MORGAN

Case No. 1:16-00070

REC'D USMS CHARLESTON, WV  
APR 10 2019 AM 11:51*Defendant***ARREST WARRANT**

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) CURTIS LYNN MORGAN,

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☐ Complaint  
☐ Probation Violation Petition    ☒ Supervised Release Violation Petition    ☐ Violation Notice    ☐ Order of the Court

This offense is briefly described as follows:

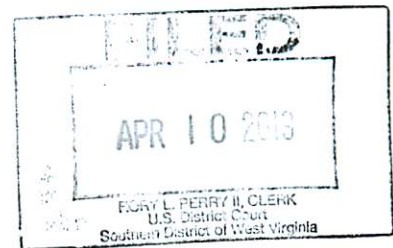
VIOLATING CONDITIONS OF SUPERVISED RELEASE.  
SEE ATTACHED.

Date: 04/10/2019
  
 Issuing officer's signature
City and state: CHARLESTON, WV
RORY L. PERRY II, CLERK  
 Printed name and title
**Return**

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
 at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Arresting officer's signature\_\_\_\_\_  
Printed name and title



**United States District Court**  
**for the**  
**Southern District of West Virginia**  
**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Curtis Lynn Morgan Case Number: 1:16CR00070

Name of Sentencing Judicial Officer: Honorable James C. Turk, Senior United States District Judge, Western District of Virginia; Jurisdiction transferred to the Southern District of West Virginia. Assigned to the Honorable David A. Faber, Senior United States District Judge, on April 12, 2016.

Date of Original Sentence: October 14, 2004

Original Offense: 21 U.S.C. § 846: Conspiracy to possess with intent to distribute cocaine base (Count 1); 18 U.S.C. § 924(c)(1)(A)(I): Carry a firearm during a drug trafficking crime (Count 2); 21 U.S.C. § 841(b)(1)(C): Possession with intent to distribute marijuana (Count 8); 18 U.S.C. § 924(c)(1)(C)(I): Carry a firearm during a drug trafficking crime (Count 9).

Original Sentence: 322 months, 1 day of imprisonment (Counts 1 and 8; 262 months on each to run concurrent; Count 2: 60 months to run consecutive; Count 9: 1 day to run consecutive). Followed by 96 months of supervised release (Count 1: 96 months to run concurrent; Count 2: 60 months to run concurrent; Count 8: 96 months to run concurrent; Count 9: 60 months to run concurrent.) \$400 special assessment.

Sentence reduced to 180 months and 1 day by Amended Judgment & Commitment Order dated April 21, 2009. 96 month term of supervised release.

On August 11, 2016, supervised release was revoked, and offender was ordered incarcerated for a term of 5 months, followed by a 90 month term of supervised release. The Court imposed an additional condition of supervised release, directing the defendant to reside at SECOR, Inc., a halfway house in Lebanon, Virginia, for a period of 12 months and to adhere to all rules and regulations of SEOR, Inc. while a resident there.

Type of Supervision: Supervised Release Date Supervision Commenced: December 15, 2016

Asst. U.S. Attorney: Willard Carte Defense Attorney: Ann Mason Rigby

### PETITIONING THE COURT

- ☒ To issue a warrant  
☐ To issue a summons

The probation officer believes the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1. Violation of statutory condition: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.

A urine specimen submitted by Mr. Morgan on August 24, 2018, was returned as dilute. In response, Mr. Morgan was called for an unannounced urine screen on August 29, 2018. On that date, Mr. Morgan admitted use of cannabis oil. The specimen collected on August 29, 2018, tested positive for marijuana. Urine specimens collected on the following dates tested positive for illegal controlled substances: February 20, 2019, methamphetamine; February 26, 2019, amphetamine and methamphetamine.

2. Violation of statutory condition: The defendant shall not commit another federal, state or local crime.

On March 1, 2019, at approximately 2:30 a.m., Mr. Morgan was involved in a single vehicle accident on Thorn Street in Princeton, West Virginia. Upon arrival to the scene of the accident, Sergeant Butler of the Princeton Police Department observed a gold Ford Taurus with a Virginia plate of UYD1413 against a power utility pole. Officer Butler tried to get the driver of the vehicle, later identified as Curtis Morgan, to respond. Due to the condition of Mr. Morgan, the officer was unable to understand Mr. Morgan as his speech was slurred and the officer detected a faint odor of an alcoholic beverage. Mr. Morgan was extracted from the vehicle by emergency medical personnel and was transported to Princeton Community Hospital for medical treatment.

As a result of the accident, and according to Sergeant Butler of the Princeton Police Department, Princeton, West Virginia, Mr. Morgan will be charged with the following offenses in Magistrate Court of Mercer County, West Virginia: DUI, first offense; destruction of property; no insurance; and reckless driving. Mr. Morgan has not yet been charged.

The violation conduct contained in Violation No. 1 is realleged.



3. Violation of Standard Condition No. 1: The defendant shall not leave the judicial district without the permission of the court or probation officer.

On October 31, 2018, the undersigned officer telephoned Mr. Morgan to schedule an appointment for that date. Mr. Morgan advised he was not in the district, but was near Charlottesville, Virginia, as he was driving his brother-in-law to Eastern Virginia. Mr. Morgan did not have permission to be out of district. Mr. Morgan was instructed to return home.

4. Violation of standard condition No. 2: The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

Mr. Morgan was directed to report to the United States Probation Office on Friday, March 22, 2019, at 10:30 a.m. Mr. Morgan did not report as directed, and he did not call the undersigned officer to cancel or reschedule. Mr. Morgan failed to report to the probation officer as directed.

5. Violation of standard condition No. 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

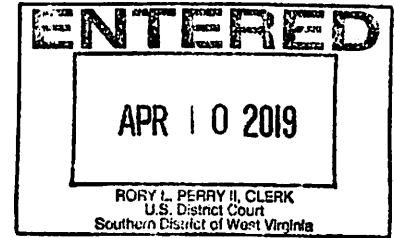
Mr. Morgan failed to report to the United States Probation Office on March 22, 2019, as instructed. Mr. Morgan failed to follow the instructions of the probation officer.

6. Violation of Standard Condition No. 11: The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

During a meeting with Mr. Morgan at his residence on October 31, 2018, he reported being questioned by a law enforcement officer on October 26, 2018. The questions were related to a restraining order on Mr. Morgan on that date. The incident involved a woman by the name of Terri Thompson.

Prob 12C  
Re: Curtis Lynn Morgan  
Docket No. 1:16CR00070

Petition for Warrant or Summons  
for Offender Under Supervision

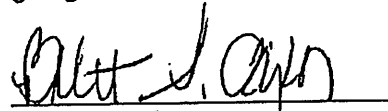


U.S. Probation Officer Recommendation:

The term of supervision should be:


- ☒ Revoked
- ☐ Extended for year(s), for a total term of years.
- ☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the forgoing is true and correct.

  
Brett S. Taylor  
Senior United States Probation Officer  
April 9, 2019

THE COURT ORDERS

- ☒ No Action
- ☒ The Issuance of a Warrant
- ☒ The Petition and Warrant be SEALED until the defendant is arrested.  
No further Order shall be needed to unseal same once the offender has been arrested. A copy of this Order is to be sent to the U.S. Probation Office, U.S. Attorney's Office, and the U.S. Marshals Service.
- ☐ The Issuance of a Summons
- ☐ Other

  
The Honorable David A. Faber  
Senior United States District Judge

Date APRIL 10, 2019.